

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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DANIEL WILLIAMS,

Plaintiff,

v.

EDWARD J. MEYER, *et al.*,

Defendants.

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**DECISION AND ORDER**  
16-CV-857-A

This *pro se* civil rights case was referred to Magistrate Judge Hugh B. Scott pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings. On August 28, 2019, Magistrate Judge Scott filed a Report and Recommendation (Dkt. No. 43), recommending that defendants' motion for summary judgment (Dkt. No. 40) pursuant to Fed. R. Civ. P. 56 be granted.

On September 19, 2019, *pro se* plaintiff Williams filed objections to the Report and Recommendation. Dkt. No. 44. Defendants' filed a response on October 4, 2019 (Dkt. No. 46), and plaintiff filed a reply on October 25, 2019. Dkt. No. 47. The matter was deemed submitted.

Plaintiff Williams stresses in his objections that he was deprived of certain tactical choices and options during the disciplinary proceedings at issue in this case, and he concludes that he was therefore denied adequate process. See *e.g.*, Dkt. No. 47, pp. 2-4. The Court has reviewed the plaintiff's objections to the Report and Recommendation *de novo*, 28 U.S.C. § 636(b)(1), and the pleadings and materials submitted by the parties, and it is hereby

**ORDERED**, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth

in the Report and Recommendation, defendants' motion for summary judgment (Dkt. No. 40) is granted. Adequate procedural due process was afforded plaintiff Williams.

The Clerk shall enter Judgment in favor of defendants Edward J. Meyer, Correctional Captain, D. Morris, Correctional Sergeant, A. Killinger, Correctional Guard, Anthony J. Annucci, Acting Commissioner D.O.C.C.S., and Albert Prack, Director of Disciplinary Program, and shall close the case.

**IT IS SO ORDERED.**

*s/Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: November 3, 2019